

REMARKS

This Amendment is in response to the Non-Final Office Action mailed on May 11, 2010, for the present application, which has been reviewed. Applicant cancelled claims 1-15 and added new claims 16-18. Claims 16-18 considered together with the following remarks, the arguments below and request for reconsideration are believed sufficient to place the application into condition for allowance. No new matter has been added to the application. Applicant expresses appreciation for the thoughtful examination by the Examiner. Support for claims 16-18 is found in original claims 8-10 as well as the specification.

Requirements under MPEP 2001.06(b)

In response to the Examiner's request, Applicant has reviewed its current cases and filed a Supplemental Information Disclosure Statement (IDS) on September 16, 2010 listing Applicant's relevant publications, patents, and documents known by the undersigned. It is noted that the original IDS was not filed by the undersigned, though it is believed that omission of any references was not made with deceptive intent. The Examiner is invited to contact the undersigned to answer any questions or provide any further clarifications on this issue. Otherwise, Applicant appreciates the Examiner's thoughtful review and comments.

Perfection of Priority under MPEP 706.02(b) and 37 CFR 1.55

Applicant also submits that priority to German Application No. DE 10 2004 002 715.3 filed on January 19, 2004 has been fully perfected. Both the certified copy of the

priority document as well as the English translation were filed on July 19, 2006.

Applicant submits that the priority documents satisfy the enablement and description requirements of 35 U.S.C. §112, and respectfully requests that the Examiner recognize the priority date of January 19, 2004.

Rejection of Claims 12 and 13 under 35 U.S.C. §112 Should Be Withdrawn.

The present action rejects claims 12 and 13 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant submits this rejection is now moot in that claims 12-13 are cancelled, and respectfully requests its removal.

Rejection of Claims 8-15 under 35 U.S.C. §102 or 103 Should Be Withdrawn

The present action rejects claims 8-10 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Rafalovich (U.S. Patent No. 6,059,016) or Khelifa et al. (U.S. Patent No. 6,260,376). Also, the present action rejects claims 8-10 and 15 under 35 U.S.C. §103(a) as being unpatentable over Rafalovich '016 or Khelifa et al. as applied to claims 8-10 above, and further in view of Kang (WO 01/40005). Claims 11 and 12 are presently rejected under 35 U.S.C. §103(a) as being unpatentable over Rafalovich '016 or Khelifa et al., with or without Kang, as applied to claims 8-10 above, and further in view of Horn et al. (U.S. Publication No. 2003/0192952). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rafalovich '016 as applied to claim 8 above, and

further in view of Tanaka (U.S. Patent No. 5,644,929) or Rafalovich et al. (U.S. Patent No. 5,871,041). Claims 13 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Rafalovich '016 or Khelifa, with or without Kang, as applied to claim 8 above, and further in view of Kanada (U.S. Patent No. 5,957,193) or Carr (U.S. Patent No. 5,277,038). In response, to further the prosecution of this application and without acquiescing to the Examiner's rejection and while reserving the right to prosecute the original claims (or similar claims) in the future, Applicant submits that all of these rejections are now moot due to the cancellation of claims 1-15 and the addition of new claims 16-18. Also, in order to expedite prosecution, Applicant explains the new claims in light of the cited prior art as follows.

Claim 16 includes features from cancelled claims 8-12 including the heating element and the heating heat exchanger, and is directed to the embodiment of FIG. 2. New claim 17 is based on cancelled claim 14 and is directed to multiple latent cold storages, and new claim 18 is based on cancelled claim 15 and is directed to the generator for powering the compressor.

With regard to claim 16, the prior art references do not disclose or suggest a heating heat exchanger configured for dehumidifying cool air during warm weather as well as heating during the winter. Specifically, due to the fuel heating device and the latent cold storage (or the electrically driven compressor, if the latent cold storage is empty) in combination with the arrangement of the heat exchanger 32, the heating heat exchanger 44 and the common blower 42, it is possible with this embodiment - also in the parking operation (i.e., when the combustion engine is off) - to reheat the air cooled down by heat exchanger 32 via the heating heat exchanger 44 (See, for example, FIG.

2 and paragraph 29 of the present application). Thus, this combination of elements can reheat cool air to reduce the air humidity, and this can remarkably enhance the comfort for a (sleeping) driver, particularly in humid areas. The cited references, including Rafalovich, Khelifa, Kang, Horn, Tanaka, Kanada, and Carr, do not disclose or suggest anything like this reheating and dehumidifying feature. Accordingly, Applicant submits that claim 16 is in condition for allowance.

With regard to claim 17, Applicant respectfully submits the cited references do not disclose or suggest the feature of “plural latent cold storages”, and is supported by at least FIG. 4 and paragraph 31. The present specification provides an exemplary device that multiple latent cold storages can be placed in different areas of a vehicle so that each latent cold storage can be used to separately cool a different area of the vehicle, and especially when the vehicle is stationary (when the charging refrigerant circuit is not operating).

In contrast, the prior art references do not describe or suggest this configuration because their systems are more complex such that duplication of a latent storage, if present, is not suggested. For instance, as disclosed by Rafalovich '016, and as would be expected, the known systems may have a single thermal storage unit 20 to provide cool air through ducts 18 at other compartments in a vehicle (See FIG. 1). It should be noted that FIG. 1 of Rafalovich '016 shows a single thermal storage unit 20 (unit 16 is a space heater not a thermal storage), and by the size of unit 20 on FIG. 1, it is strongly suggested that the thermal storage unit 20 is a relatively large, bulky device such that it is not desirable to provide multiple cold storage units in multiple locations on the vehicle. It should also be noted that Rafalovich '016 discloses a single *cold* storage (versus high

temperature storage 291/282 on FIG. 20, (See, for example, col. 23, line 4 et seq.).

Likewise, Rafalovich '041 discloses a single thermal storage and delivery apparatus 11 that assists with cooling air exhausted by multiple discharge fans 24 and 25 (See FIGs. 1, 5 and 6). Additionally, these fans all exhaust to a single vehicle compartment (See FIG. 5).

Further, Khelifa discloses a single cold reservoir 2 that holds a distinct heat exchanger and evaporator (See FIGs. 2-6). Thus, this structure would not suggest duplication of the reservoir rather than providing multiple known ducts that lead from the single reservoir to cool multiple areas.

Nor does Horn disclose or suggest multiple latent cold storages either. In fact, Horn specifically discloses the use of a heat exchanger 20 and evaporator 14 rather than multiple latent storages to provide air conditioning to separate regions in the vehicle (See FIG. 1 and paragraphs 26-27 and 37). This is true for all of the embodiments disclosed by Horn (See FIGs. 1-4).

Tanaka, Kanada, and Carr do not disclose or suggest the multiple latent cold storages cooling separate compartments as recited in claim 17 either. Specifically, while Tanaka teaches multiple regenerating material packs 23 on a single evaporator 10, Applicant submits Tanaka does not teach multiple latent cold storages as recited in claim 8 (See Tanaka, FIG. 5, col. 5, lines 31-61). Similarly, Kanada discloses a single heat accumulator 1 with multiple pipes 5 for holding a heat accumulating medium 9 that has nothing to do with cooling multiple vehicle compartments with multiple latent cold storages (See Kanada, FIGs. 1-3, col. 5, line 40 to col. 6, line 18 for the basic embodiment that is used in the other embodiments cited by the Examiner). Likewise,

Carr discloses a system that has a single thermal storage reservoir 80/81 with a number of containers 83, 85, 87 but does not disclose or suggest multiple reservoirs in multiple locations (See Carr, FIGs. 1-1A). Carr, if anything, teaches the use of a single reservoir 80 in a system supplying air to multiple ducts 30, 76 at different locations (See Carr, FIG. 1, col. 3, lines 51-53 and col. 4, lines 36-38). Thus, none of these additional references teach multiple latent cold storages as recited in claim 17. Accordingly, Applicant submits claim 17 is in condition for allowance and respectfully requests such allowance.

Finally, since claims 17 and 18 depend from claim 16, Applicant submits that claims 17 and 18 are also in condition for allowance based on their dependency.

For these reasons, Applicant respectfully requests allowance of pending claims 16-18.

CONCLUSION

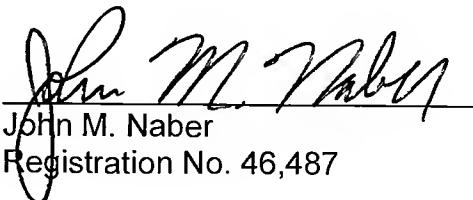
Examiner noted that the prior art of record was considered pertinent to Applicant's disclosure. Applicant has reviewed the prior art of record and submits it does not adversely bear on the patentability of the pending claims.

In light of the foregoing, Applicant respectfully submits they have addressed each and every item presented by the Examiner in this Office Action. Favorable reconsideration of all of the claims as amended is earnestly solicited. Applicant submits the present application, with the foregoing claim amendments and accompanying remarks, is in a condition for allowance and respectfully request such allowance.

In the event any further matters requiring attention are noted by Examiner or in the event that prosecution of this application can otherwise be advanced thereby, a telephone call to Applicant's undersigned representative at the number shown below is invited.

The Patent Office is authorized to charge any fee deficiency or refund any excess to Deposit Account No. 06-1135.

Respectfully submitted,


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